



*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 16, 2020

BY ECF

The Honorable Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v Joseph Iorhemba Asan, Jr., 20 Cr. 86 (KMW)

Dear Judge Wood:

The parties jointly write to respectfully ask the Court to make certain findings pursuant to the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), § 15002(b), Pub. L. No. 116-136 (2020), prior to the defendant's anticipated guilty plea in the above-referenced matter. Based on Your Honor's referral, the parties are in the process of scheduling a change of plea hearing before a U.S. Magistrate Judge in the Southern District of New York. The change of plea hearing is expected to proceed, with the defendant's consent, via video-conference.

In Amended Standing Order M10-468, 20 Misc. 622, dated November 30, 2020, Chief Judge Colleen McMahon, pursuant to the CARES Act, extended the use of remote proceedings in felony plea hearings conducted in this District through on or about January 15, 2021. Section 15002(b)(2) of the CARES Act provides that video-conferencing may be used to conduct a felony plea hearing with the consent of the defendant where the district judge presiding over the case has made a finding that the plea in that case "cannot be further delayed without serious harm to the interests of justice."

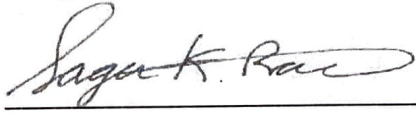
The Government respectfully submits that the plea in this case cannot be further delayed without serious harm to the interests of justice due to the parties' and the public's interest in the timely resolution of this matter, which has been pending for over a year due in large part to the COVID-19 pandemic, and the interests of victims in obtaining restitution as soon as possible. If the Court finds that these or other reasons merit a finding that the plea in this case cannot be further delayed without serious harm to the interests of justice, the Government respectfully requests that

granted

the Court so indicate by endorsing this letter. The Government has consulted with defense counsel Matthew J. Kluger, Esq., who consents to the relief requested herein.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: 
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The Court finds, for the reasons stated
by the Government, that the plea in this
case cannot be further delayed.

12/17/20
Kileen M. Wood
SO ORDERED